(3)

C & 1002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 1832/2004

PETITIONER : Harish Kumar Khurendra
S/o Shri Krishna Ram Khurendra,
aged about 39 years, working as
Assistant Teacher at Higher
Secondary School, Orcha,
R/o Village- Munjal Gondi, Post
Charma, District-Kanker
(Uttar Baster) (C.G.)

P. R. No. 1828/04
Presented on 30-6-04

-Versus-

RESPONDENTS : 1. State of Chhattisgarh,
Through the Secretary Adim Jaiti
Tatha Anusuchit Jati Vikas
Vibhag, Mantralaya, Raipur (C.G.).

2. Director,
Adim Jaiti Tatha Anusuchit Jati
Vikas Vibhag, Raipur (C.G.).

3. Collector (Adivashi Vikas
Shakha), Jagdalpur (C.G.).

4. Assistant Director, Adim Jaiti
Tatha Anusuchit Jati Vikas Vibhag,
Collectorate Building, Jagdalpur(Baster)
(C.G.).

29/6/04
Deputy Registrar
Circuit Bench A. G. Bilaspur

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS, PROHIBITION, CERTIORARI ETC.OR ANY OTHER DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER.

शपथ आयुक्त
बिलासपुर (म.प्र.)
29/6/04

Details of the petition.

PARTICULAR OF THE PETITIONER :

As per cause title.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(27)

आदेश पत्रक

W.P. No. 1832/2004

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

29-7-2004

Shri Prashant Jaiswal, Advocate for the petitioner.

Shri Prashant Mishra, Addl. Adv. General with Shri Sudhir Agrawal, Panel Lawyer for the State.

Heard on I.A. No. 4322/2004 for exemption from filing the typed copy of the documents.

Application is allowed. The petitioner is exampted from filing typed copy of the documents.

Heard.

Counsel for the petitioner submits that the matter is exactly similar to that of W.P. No. 1465/2004. He prays for similar order.

Counsel for the petitioner submits that earlier transfer order was passed as per Annexure P-1 dated 30-6-2003 and his name appeared at Sr. No. 30. It is stated that transfer order has not been cancelled. Once a person is transferred and his transfer is not cancelled, there is no justification in keeping him in earlier place. It is submitted that because of Lok Sabha elections and Vidhan Sabha elections, he was not relieved and now the election are over, therefore, he may be relieved. He relied on a decision in case of Bir Bajrang Kumar -v- State of Bihar and others reported in AIR 1987 SC 1345 to contend that in the cases involving identical questions, similar order should be passed to avoid possibility of contradictory judgements in same case.

Having considered the facts and circumstances of the case and material on record, it is directed that if the transfer order has not been cancelled then he be relieved within a period of three weeks from the date of production of certified copy of this order.

[पीछे देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

28

आदेश पत्रक

W.P. No. 1832/2004

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	-2- The petition is accordingly disposed of. In view of the above order, the M.W.P. No. 1636/2004 and I.A. No. 4321/2004 also stand disposed of. Certified copy as per rules. Sd/- Fakhruddin Judge	

[पीछे देखिये

15.6.05